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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 25, 2003

PETITION OF

METRO TELECONNECT, INC.

CASE NO. PUC-2003-00019

For Injunction Against
Verizon Virginia Inc. and
Other Relief and Request
For Emergency Expedited
Relief

PRELIMINARY ORDER

On February 13, 2003, Metro Teleconnect, Inc. ("Metro")¹ filed with the State Corporation Commission ("Commission") the above-captioned Petition alleging that Verizon Virginia Inc. ("Verizon Virginia") has failed to meet its obligations under the parties' Interconnection Agreement² and federal and state law to negotiate a billing dispute. Metro alleges that Verizon Virginia, pursuant to Exhibit C of its Petition, threatens imminent embargo (i.e., suspension of further acceptance and processing of new or pending orders by Metro) unless a Letter of Credit is provided or Metro pays the amount in dispute. Therefore, Metro also requests the Commission to enjoin Verizon Virginia from imposing an embargo upon Metro.

¹ Metro was granted Certificate No. T-477 on February 16, 2002, to provide local exchange telecommunications services. Metro provides local exchange telecommunications services, pursuant to its tariff, on a prepaid basis only.

² The parties' interconnection agreement was approved by the Commission on January 19, 2001, in Case No. PUC-2000-00302 (See Exhibit A to the Petition).

The Commission takes judicial notice that neither party has given prior notice to this Commission, pursuant to the Commission's Rules Governing The Discontinuance of Local Exchange Telecommunications Service Provided By Competitive Local Exchange Carriers ("Discontinuance Rules"), codified at 20 VAC 5-423-10, et seq., of any full or partial discontinuance of telecommunications services. Therefore, the Commission reserves judgment on Metro's request for expedited and injunctive relief.³

Pursuant to 5 VAC 5-20-100 B, Verizon Virginia is required to file its Answer to Metro's Petition no later than March 6, 2003. The Commission requests that Verizon Virginia affirmatively respond in its Answer as to whether any remedy has been achieved to the problem of allowing Metro's customers to use Verizon Virginia's direct long distance service and allowing third-party and collect calls to be completed to Metro's customers, as complained of in Metro's Petition.

The Commission further finds that Metro should be granted leave to file a Reply to the Answer on or before March 13, 2003.

³ 20 VAC 5-423-80 E requires Verizon Virginia to notify the Division of Communications within three business days of any notice of proposed suspension or disconnection of service sent to a CLEC. The Staff has not received any such notice related to Metro.

Accordingly, IT IS ORDERED THAT:

(1) This case is hereby docketed as Case No. PUC-2003-00019.

(2) Verizon Virginia shall file its Answer in this case on or before March 6, 2003.

(3) Metro is hereby granted leave to file its Reply on or before March 13, 2003.

(4) This case is continued generally.